

Amendments to the Drawings

The attached sheets of drawings include changes to Figs. 2, 5, 10, 12 and 15 through 22. In Fig. 2, previously omitted element 40 has been added. In Fig. 5, previously omitted element 124 has been added. In Fig. 10, previously omitted element 192 has been added and element 206 has been changed to element 200. In Fig. 12, previously omitted element 110 has been added. In Figs. 15 through 22, a box surrounding each figure has been added to clarify the boundaries of each figure.

Attachment: 7 Replacement Sheets

Remarks

Claims 1, 3 through 20, 22 through 38, 42, and 43 are pending in the application. Claims 2, 21, and 39 through 41 have been canceled.

The Office Action has objected to the drawings and the specification. The drawings and specification have been amended as suggested by the Examiner and as outlined above.

The Office Action has also objected to claims 18, 19, 37 and 38. The cited claims have been amended for clarity.

The Office Action asserts that claims 6, 7, 15, and 32 through 34 do not comply with the requirements of 35 U.S.C. §112, second paragraph. As to claims 6, 7, 33, and 34, the Office Action argues that the phrase "business device" does not indicate a category with clear boundaries and so is indefinite. Applicants respectfully disagree. The term "business device" is defined in the specification as "any suitable system with the capability of conducting interactive sessions with a user device" see paragraph [0023] of the published application (US 2003/0117443). Claims 15 and 32 have been amended to clarify the scope of the invention. Applicants respectfully submit that claims 6, 7, 15, and 32 through 34 comply with the requirements of 35 U.S.C. §112, second paragraph.

The Office Action asserts that under 35 U.S.C. §102(b), claims 1, 3, 8, 10, 13, 20, 22, 25, 27, 30, 42 and 43 are unpatentable based upon a public use or sale of the claimed invention at infoUSA (as documented by the Internet archive of infousa.com from 05/10/2000).

Independent claim 1 recites a method of providing business information to a user through an integrated interface. A menu is presented to the user that allows the user to select one or more of a plurality of business services and to identify a

target business. Once a business service and a target business have been selected, data concerning the selected business and service are delivered to the user through the integrated interface. The business services include a credit checking service, a collection service, an alert service, a marketing service, and a supplier service.

The Office has failed to produce evidence showing that the invention recited in claim 1 was sold or in public use prior to the filing date of the present application. The Office Action argues that the infoUSA reference qualifies as a public use or sale of the invention of claim 1. However, to create a bar to patentability under 35 U.S.C. §102(b), the method in public use or placed on sale must anticipate a later claimed invention. The infoUSA reference fails to anticipate claim 1. The infoUSA reference does not deliver business information through an integrated interface. The products offered on the infoUSA website are sent to a customer via email, on a CD-ROM, a diskette, or as printed materials such as mailing labels and index cards. The infoUSA reference therefore fails to anticipate claim 1.

Claims 3, 8, 10, and 13 depend from independent claim 1 and are patentable over the infoUSA reference for at least the reasons given above regarding claim 1.

Independent claims 20, 42, and 43 each include the feature of delivering business information to a user through an integrated interface and so are patentable over the infoUSA reference for at least the reasons given above regarding claim 1. Claims 22, 25, 27, 30, and 32 depend from independent claim 22 and are patentable over the infoUSA reference for at least the reason given above regarding claim 20.

The Office Action asserts that under 35 U.S.C. §103(a), claims 4 through 7, 9, 14, 23, 24, 26, 31, 33, and 34 are unpatentable over the infoUSA reference.

The infoUSA reference fails to render claims 4 through 7, 9, 14, 23, 24, 26, 31, 33, and 34 obvious. Claims 4, 7, 9, and 14 depend from independent claim 1;

Claims 23, 24, 26, 31, 33, and 34 depend from independent claim 20. As explained above, the infoUSA reference fails to anticipate each feature recited in either claim 1 or claim 20. Consequently, the infoUSA reference fails to disclose or suggest each feature of claims 4 through 7, 9, 14, 23, 24, 26, 31, 33, and 34. The cited claims are therefore patentable over the infoUSA reference.

Additionally, in rejecting claims 4 through 7, 9, 14, 23, 24, 26, 31, 33, and 34, the Office has improperly relied on Official Notice. Official Notice unsupported by documentary evidence should only be taken where the facts asserted to be common knowledge in the art are capable of instant and unquestionable demonstration as being well-known. MPEP 2144.03. Assertions of specific knowledge of the prior art must always be supported by citation to some reference work recognized as standard in the pertinent art. MPEP 2144.03. The Office has asserted specific knowledge of the prior art without providing support for these assertions. Thus, a prima facie case of obviousness regarding claims 4 through 7, 9, 14, 23, 24, 26, 31, 33, and 34 has not been established.

The Office Action also asserts that under 35 U.S.C. §103(a), claims 15 and 32 are unpatentable over the infoUSA reference. Claims 15 and 32 depend from independent claims 1 and 20, respectively, and are patentable over the infoUSA reference for the at least the reasons given above regarding claim 1.

The Office Action asserts that under 35 U.S.C. §103(a), claims 18, 19, 37, and 38 are unpatentable over the infoUSA reference in view of a press release title "PrimeStreet announces strategic alliance with Experian" dated February 3, 2000 (Experian). Claims 18 and 19 depend from independent claim 1 and are patentable over the infoUSA reference for the at least the reasons given above regarding claim 1. The Experian reference fails to overcome the deficiencies of the infoUSA reference. Neither the Experian reference nor the infoUSA reference disclose or suggest presenting menus and delivering data through an integrated interface, let alone communicating a payment performance record to a business service providing

system. Claims 37 and 38 depend from independent claim 20 and are patentable over the infoUSA reference for the at least the reasons given above regarding claim 20. Again, neither the Experian reference nor the infoUSA reference disclose or suggest presenting menus and delivering data through an integrated interface, let alone communicating a payment performance record to a business service providing system. Claims 18, 19, 37, and 38 are therefore patentable over the infoUSA reference and the Experian reference, either individually or in combination.

The Office Action asserts that under 35 U.S.C. §103(a), claims 39 through 41 are unpatentable over U.S. Patent No. 5,274,547 in view of the Experian reference. Claims 39 through 40 have been canceled; the rejection is now moot.

The Office Action asserts that under 35 U.S.C. §103(a), claims 2 and 21 are unpatentable over the infoUSA reference in view of a website of a company named Allied National, documented in the Internet archive at www.andc.com/coinfo.htm (Allied National) in view of a website of a product named Stockboss, documented in the Internet archive at www.softwinc.com (Stockboss). Claims 2 and 21 have been canceled; the rejection is now moot.

The Office Action asserts that under 35 U.S.C. §103(a), claims 16, 17, 35, and 36 are unpatentable over the infoUSA reference in view of the Stockboss reference. Claims 16 and 17 depend from independent claim 1, and claims 35 and 36 depend from independent claim 20. As explained above, the infoUSA reference fails to disclose or suggest each element of either claim 1 or claim 20. The Stockboss reference fails to overcome the deficiencies of the infoUSA reference. For at least this reason, claims 16, 17, 35 and 36 are patentable over the cited references.

The Office Action asserts that under 35 U.S.C. §103(a), claims 11, 12, 28, and 29 are unpatentable over the infoUSA reference in view of a press release dated April 19, 2000 titled "Hoover's First to Use Kurion's My.com Solution"

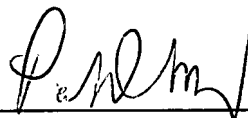
(Hoovers). Claims 11 and 12 depend from independent claim 1, and claims 28 and 29 depend from independent claim 20. Again, the infoUSA reference fails to disclose or suggest each element of either claim 1 or claim 20. The Hoovers reference fails to overcome the deficiencies of the infoUSA reference. For at least this reason, claims 11, 12, 28, and 29 are patentable over the cited references.

Additionally, the Office Action improperly relies on Official Notice as a basis for the rejection. The Office Action admits that the Hoovers reference fails to teach allowing a user to categorize a target business by customer, supplier, partner, competitor, project, or user's company. However, the Office takes Official notice that customer, supplier, partner, competitor, project and user's company "are common keywords to use for identifying a relationship between companies" and that "sell to, buy from, compete, get paid and locate are common keywords to use for identifying a relationship between companies." The Office has again asserted specific knowledge of the prior art without providing support for the assertion. Thus, a prima facie case of obviousness regarding claims 11, 12, 28, and 29 has not been established.

In view of the above, Applicants respectfully submit that all claims presented in this application are patentably distinguishable over the cited references and combination of references. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,

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APPENDIX